

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
~~SAN JOSE DIVISION~~
SAN FRANCISCO DIVISION

ARNOLD WANDEL, individually and on behalf)
of all others similarly situated,)

Plaintiff,)

v.)

HERBERT W. BOYER, Ph.D., WILLIAM M.)
BURNS, ERICH HUNZIKER, Ph.D.,)
JONATHAN K.C. KNOWLES, Ph.D., ARTHUR)
D. LEVINSON, Ph.D., DEBRA L. REED,)
CHARLES A. SANDERS, M.D., GENENTECH,)
INC., AND ROCHE HOLDING AG,)

Defendants.)

CASE NO.: CV 08-3543 (SC)

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
DEFENDANTS TO RESPOND TO
COMPLAINT**

1 JOHN P. McCARTHY PROFIT SHARING) CASE NO.: CV 08-3720 (SC)
 2 PLAN, individually and on behalf of all Others)
 3 similarly situated,)
 4)
 5 Plaintiff,)
 6)
 7 v.)
 8)
 9 GENENTECH, INC., ROCHE HOLDING, LTD,)
 10 ROCHE HOLDINGS, INC., ROCHE HOLDING)
 11 AG, ARTHUR D. LEVINSON, HERBERT W.)
 12 BOYER, WILLIAM M. BURNS, ERICH)
 13 HUNZIKER, JONATHAN K.C. KNOWLES,)
 14 DEBRA L. REED, AND CHARLES SANDERS,)
 15)
 16 Defendants.)
 17)
 18)
 19)
 20)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

11 WHEREAS, Plaintiff Arnold Wandel filed a Complaint on July 23, 2008 against
 12 Defendants Herbert W. Boyer, Ph.D., William M. Burns, Erich Hunziker, Ph.D., Jonathan K.C.
 13 Knowles, Ph.D., Arthur D. Levinson, Ph.D., Debra L. Reed, Charles A. Sanders, M.D.,
 14 Genentech, Inc., and Roche Holding AG;

15 WHEREAS, Plaintiff John P. McCarthy Profit Sharing Plan filed a Complaint on August
 16 4, 2008 against Defendants Genentech, Inc., Roche Holding, LTD, Roche Holdings, Inc., Roche
 17 Holding AG, Arthur D. Levinson, Herbert W. Boyer, William M. Burns, Erich Hunziker,
 18 Jonathan K.C. Knowles, Debra L. Reed, and Charles Sanders;

19 WHEREAS, Plaintiff Ernest Gottdiener filed a Complaint on August 5, 2008 against
 20 Defendants Arthur D. Levinson, Ph.D., Charles A. Sanders, M.D., Jonathan K.C. Knowles,
 21 Ph.D., William M. Burns, Erich Hunziker, Ph.D., Herbert W. Boyer, Ph.D., Debra L. Reed,
 22 Genentech, Inc., and Roche Holding AG;

23 WHEREAS, the undersigned parties have met and conferred and anticipate that these
 24 actions are related;

25 WHEREAS, the undersigned parties further anticipate that these related actions will be
 26 consolidated and that, following appointment of a lead plaintiff and lead counsel by the Court, a
 27 Consolidated Amended Class Action Complaint will be filed;
 28

1 WHEREAS, no defendant, by agreeing to this stipulation, waives any right to object to
2 service or the jurisdiction of this Court;

3 WHEREAS, the undersigned parties wish to avoid burdening the Court with unnecessary
4 motion practice;

5 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
6 subject to approval of the Court, as follows:

7 1. No defendant need respond to any of the initial complaints filed in the above-
8 captioned matters;

9 2. Lead Plaintiffs shall file a Consolidated Amended Class Action Complaint no
10 later than sixty (60) days after the appointment of Lead Plaintiffs and approval of Lead Counsel;

11 3. Defendants shall answer or otherwise respond to the Consolidated Amended
12 Complaint no later than forty-five (45) days after the Consolidated Amended Complaint is filed.

13
14 Dated: August 21, 2008

Respectfully submitted,

15 WILSON SONSINI GOODRICH & ROSATI
16 Professional Corporation

17
18 By: /s/
Ignacio E. Salceda

19 Attorneys for Defendants
20 GENENTECH, INC. AND ARTHUR D.
21 LEVINSON

1 WOLF HALDENSTEIN ADLER FREEMAN
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7 -and-

8 LAW OFFICES OF MARC S. HENZEL
9 Marc S. Henzel
10 273 Montgomery Avenue, Suite 202
11 Bala Cynwyd, PA 19004
12 Telephone: (610) 660-8000
13 Facsimile: (610) 660-8080

14 Dated: August 21, 2008

15 SPECTOR, ROSEMAN & KODROFF, P.C.
16 Robert M. Roseman
17 Jay Cohen
18 Andrew Abramowitz
19 Rachel E. Kopp
20 1818 Market Street, Suite 2500
21 Philadelphia, PA 19103
22 Telephone: (215) 496-0300
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24 By: _____/s/
25 Andrew D. Abramowitz

26 Attorneys for Plaintiff John P. McCarthy Profit
27 Sharing Plan, Class Members, and all others
28 similarly situated

-and-

20 LEVY, RAM & OLSON
21 Michael F. Ram
22 639 Front Street, 4th Floor
23 San Francisco, CA 94111
24 Telephone: (415) 433-4949
25 Facsimile: (415) 433-7311

26 **ORDER**

27 PURSUANT TO STIPULATION, IT IS SO ORDERED.

28 Dated: August 27, 2008

United States

